

Notice of Allowability

Application No.

10/036,920

Examiner

Dillon J. Murphy

Applicant(s)

MILTON ET AL.

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/06/2006.
2. ☒ The allowed claim(s) is/are 1-3, 10-14, 22-30 and 37-40.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DOUGLAS Q. TRAN
PRIMARY EXAMINER

Tranlong

DETAILED ACTION

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. James R. Banowsky on January 24, 2006.

The application has been amended as follows:

In claim 1:

On page 2, line 16, the phrase "of the second print medium and the second print medium white point" should read --of the second print medium and the first print medium white point--.

In claim 28:

On page 9, line 6 of claim 28, replace the word "program" with --computer-readable medium--. The limitation now should read --A computer-readable medium comprising computer-executable instructions that, when executed, implement--.

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- This action is responsive to the amendment filed on 1/6/2006.
- Claims 1-3, 10-14, 22-30, and 37-40 are pending in the present application. Claims 1, 10-14, 22-29, and 37-40 are amended. Claims 4-9, 15-21, 31-36, and 41-43 are cancelled.

Response to Arguments

Applicant's arguments, see pages 13-15, filed January 6, 2006, with respect to claims 1-3, 10-14, 28-30, and 37-40 have been fully considered and are persuasive. The prior art rejection of claims 1-3, 10-14, 28-30, and 37-40 has been withdrawn.

Allowable Subject Matter

Claims 1-3, 10-14, 22-30, and 37-40 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

Claim 1 is directed to a method of setting a printing parameter for a first print medium. Claim 22 is a computer-readable medium including the method steps of claim 1. Claim 28 is a print system including a database and a computer-readable medium that implements the method steps of claim 1. These claims identify the uniquely distinct features of setting a printing parameter by obtaining an identifier from the medium, locating a database and downloading information, and deriving a new color profile based upon the black and white point difference between a first print medium and a second print medium.

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The prior art taken singularly or in combination fails to teach a method of color profile transformation that calculates a new color profile for a print media used in an intended printer by determining the black point difference and white point difference between two similar medium, and forming a new color profile by summing the difference of the white points and black points of the respective media.

The advantage gained over the prior art is that the new color profile derived in the instant invention considers both the white point and black point of a media in its comparison with regards to a similar media and its corresponding properties for its use in an intended printer, providing a more complete color profile of a paper / printer combination.

The closest prior art, Ohga. (US 2002/0057434), teaches a method of color profile transformation with respect to the specific white point and black point of a particular media. Ohga teaches a system and method for matching color profiles between a source and destination by considering a white point and black point of a media and the white point of the light.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dillon J. Murphy whose telephone number is (571) 272-5945. The examiner can normally be reached on M-F, 8-5.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on (571) 272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DJM



DOUGLAS Q. TRAN
PRIMARY EXAMINER

